



8-20-04

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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|----------------------|------------------------|------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/603117 | |
| | Filing Date | 06/24/2003 | |
| | First Named Inventor | Nathan Pyles | |
| | Art Unit | 3764 | |
| | Examiner Name | Tam M Nguyen | |
| Total Number of Pages in This Submission | 13 | Attorney Docket Number | JHT-001USP |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | See in Remarks section below |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks The following documents are enclosed: 1. Statement regarding inventorship of claims; 2. Request for Correction of Inventorship under 37 CFR 1.48 with documents: a. Statement that error was without deceptive intent from Kun-Chuan Lo; b. Statement that error was without deceptive intent from Hung-Mao Liao; c. Declarations from inventors: 1- (Nathan Pyles; Derek Nelson), 2- (Chih-Jen Wang; and, Hung-Mao Liao); d. Written consent of sole assignee Johnson Health Tech Co, Ltd. e. Fee transmittal and attached processing fee of \$130. | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Patricia Smith King | |
| Signature | | |
| Date | 8/18/2004 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|--|---------------------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Via Express Mail No. ER804576245US | | |
| Typed or printed name | Patricia Smith King | |
| Signature | | Date 18 Aug. 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

Complete if Known

| | |
|----------------------|--------------|
| Application Number | 10/603117 |
| Filing Date | 06-24-2003 |
| First Named Inventor | Nathan Pyles |
| Examiner Name | Tam M Nguyen |
| Art Unit | 3764 |
| Attorney Docket No. | JHT-001USP |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
501486

Deposit Account Name
King Research & Law

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|---|----------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) Fee code 1808, processing fee under 1.17(i) | | | 130 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|----------------------------|-----------------------------------|-------------|-----------|--------------|
| Name (Print/Type) | Patricia Smith King | Registration No. (Attorney/Agent) | 41899 | Telephone | 608-231-2988 |
| Signature | <i>Patricia Smith King</i> | Date | 18 AUG 2004 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Practitioner's Docket No. JHT-001USP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pyles, Nathan; Nelson, Derek; Lo, Kung-Chuan; and Wang, Chih-Jen
Application No.: 10/603,117 Group No.: 3764
Filed: 06/24/2003 Examiner: Tam M Nguyen
For: Dual-function treading exerciser

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTION OF INVENTORSHIP
PURSUANT TO 37 CFR 1.48 (a)**

Dear Sir,

Applicant respectfully requests a correction of inventorship for the above-referenced patent application. An error occurred in the naming of inventors in the originally executed declaration under 37 CFR 1.63. The error occurred without any deceptive intent.

Please amend the list of joint inventors to read as follows:

- a. Nathan Pyles (originally named);
- b. Derek Nelson (originally named);
- c. Chih-Jen Wang (originally named);
- d. Hung-Mao Liao (please add).

Please delete the name of Kun-Chuan Lo who was originally named in error as one of the four inventors.

08/23/2004 SSITHIB1 00000046 10603117

01 FC:1460

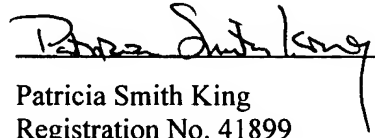
130.00 OP

(Request for Correction of Inventorship --page 1 of 2)

The following documents are attached in compliance to the requirements under 37 CFR 1.48(a):

1. Statement that error was without deceptive intent from Kun-Chuan Lo;
2. Statement that error was without deceptive intent from Hung-Mao Liao;
3. Declarations executed by all inventors: Nathan Pyles, Derek Nelson, Chih-Jen Wang and Hung-Mao Liao;
4. Written consent of sole assignee Johnson Health Tech Co, Ltd.; and,
5. Fee transmittal and attached processing fee of \$130 as set forth in 37 CFR 1.17(i).

Date: 18 AUG. 2004



Patricia Smith King
Registration No. 41899
King Research & Law
222 N. Midvale Blvd., Ste. 22
Madison, WI 53705
1-608-231-2988
Customer No. 22224



Practitioner's Docket No. JHT-001USP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pyles, Nathan; Nelson, Derek; Lo, Kung-Chuan; and Wang, Chih-Jen
Application No.: 10/603,117 Group No.: 3764
Filed: 06/24/2003 Examiner: Tam M Nguyen
For: Dual-function treading exerciser

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

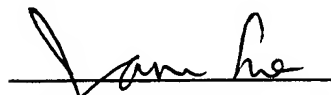
WRITTEN CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP
PURSUANT TO 37 CFR 1.48 (a)

Dear Sir,

An error occurred in the above-referenced patent application in naming the inventors in the originally executed declaration under 37 CFR 1.63. The error occurred without any deceptive intent.

As sole assignee in this case, I consent to the changes indicated in the accompanying Request for Correction of Inventorship. Specifically, please delete Kun-Chuan Lo and add Hung-Mao Liao to the list of inventors. The correct list of inventors is: Nathan Pyles, Derek Nelson, Chih-Jen Wang and Hung-Mao Liao.

Yours respectfully,



Jason Lo, General Manager

Aug. 12th. 2004.
Date

Assignee:
Johnson Health Tech Co., Ltd
No. 26, Ching Chuan Road, Taya Hsiang
Taichung Hsein 428, Taiwan



Practitioner's Docket No. JHT-001USP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pyles, Nathan; Nelson, Derek; Lo, Kung-Chuan; and Wang, Chih-Jen
Application No.: 10/603,117 Group No.: 3764
Filed: 06/24/2003 Examiner: Tam M Nguyen
For: Dual-function treading exerciser

**Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**

**STATEMENT THAT ERROR IN INVENTORSHIP OCCURRED WITHOUT DECEPTIVE
INTENT PURSUANT TO 37 CFR 1.48 (a)**

Dear Sir,

An error occurred in the above-referenced patent application in not naming me one of the
inventors in the originally executed declaration under 37 CFR 1.63. The error occurred without any
deceptive intent. Please add my name to the list of inventors.

Yours respectfully,

Hung-Mao Liao

Hung-Mao Liao

Aug. 12. 2004

Date

No. 765, Sec. 2, Li-Ming Rd., Chao-Yang Li, Hsi-Tu Dist.
Taichung City, Taiwan



Practitioner's Docket No. JHT-001USP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pyles, Nathan; Nelson, Derek; Lo, Kung-Chuan; and Wang, Chih-Jen
Application No.: 10/603,117 Group No.: 3764
Filed: 06/24/2003 Examiner: Tam M Nguyen
For: Dual-function treading exerciser

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**STATEMENT THAT ERROR IN INVENTORSHIP OCCURRED WITHOUT DECEPTIVE
INTENT PURSUANT TO 37 CFR 1.48 (a)**

Dear Sir,

An error occurred in the above-referenced patent application in naming me one of the inventors in the originally executed declaration under 37 CFR 1.63. The error occurred without any deceptive intent.

Please delete my name from the list of inventors.

Yours respectfully,

KUN CHUAN LO.

Kun-Chuan Lo

12/8/2004
(DAY / MO / YEAR)
Date

No. 3, Ching-Chang 4th St.
Taichung City Taiwan



Practitioner's Docket No. JHT-001USP

PATENT

DECLARATION

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Dual-function treading exerciser

SPECIFICATION IDENTIFICATION

The specification was filed on June 24, 2003, as Serial No. 10/603,117.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM (35 U.S.C. § 120)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) for patent listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10/303724
(Application no.)

26 November 2002
(Filing Date)

pending
(Status)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Nathan Pyles

Inventor's signature _____

Date _____

Country of Citizenship US

Residence Lake Mills, WI

Post Office Address 529 College Street, Lake Mills, WI 53551

Derek Nelson

Inventor's signature _____

Date _____

Country of Citizenship US

Residence Lake Mills, WI

Post Office Address 943 Cass Place, Lake Mills, WI 53551

Chih-Jen Wang

Inventor's signature Chih - Jen Wang

Date 2004.8.13

Country of Citizenship Republic of China

Residence Taichung City, Taiwan

Post Office Address No. 65-15, Hsing-Chung St., Taichung City, Taiwan

Hung-Mao Liao

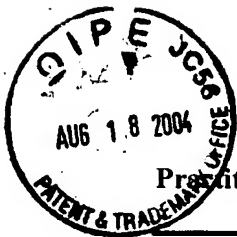
Inventor's signature Hung - Mao Liao

Date 2004.8.13

Country of Citizenship Republic of China

Residence Taichung City, Taiwan

Post Office Address No. 765, Sec. 2, Li-Ming Rd., Chao-Yang Li, Hsi-Tu Dist., Taichung City, Taiwan



DECLARATION

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Dual-function trading exerciser

SPECIFICATION IDENTIFICATION

The specification was filed on June 24, 2003, as Serial No. 10/603,117.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM (35 U.S.C. § 120)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) for patent listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10/303724
(Application no.)

26 November 2002
(Filing Date)

pending
(Status)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Nathan Pyles

Inventor's signature

Date 8/10/04

Residence Lake Mills, WI

Post Office Address 529 College Street, Lake Mills, WI 53551

Country of Citizenship US

Derek Nelson

Inventor's signature

Date 08.10.04

Residence Lake Mills, WI

Post Office Address 943 Cass Place, Lake Mills, WI 53551

Country of Citizenship US

Chih-Jen Wang

Inventor's signature

Date

Residence Taichung City, Taiwan

Post Office Address No. 65-15, Hsing-Chung St., Taichung City, Taiwan

Country of Citizenship Republic of China

Hung-Mao Liao

Inventor's signature

Date

Residence Taichung City, Taiwan

Post Office Address No. 765, Sec. 2, Li-Ming Rd., Chao-Yang Li, Hsi-Tu Dist., Taichung City, Taiwan

Country of Citizenship Republic of China



Practitioner's Docket No. JHT-001USP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pyles, Nathan; Nelson, Derek ; Chih-Jen Wang; Hung-Mao Liao

For: Dual-function treading exerciser

the specification of which was filed on June 24, 2003 as Application Serial No. 10/603,117.

STATEMENT AS TO INVENTORSHIP AND
COMMON OWNERSHIP OF CLAIMS FILED IN APPLICATION

1. Identification of Inventors of Different Claims

- (1) The subject matter of claim 1-33 was made by inventors Nathan Pyles, Derek Nelson.
- (2) The subject matter of claims 1, 7-8, 12, 18-19, 23, 29-30 was made by inventor Chih-Jen Wang
- (3) The subject matter of claims 9-11, 20-22, 31-33 was made by inventor Hung-Mao Liao.

CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. section 1.8(a)

- ☐ with sufficient postage as first class mail.

37 C.F.R. section 1.10*

- ☒ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

ER 804576245US

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 18 AUG. 2004

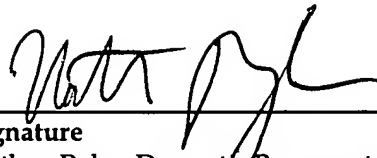
Patricia Smith King
Signature

Patricia Smith King
(type or print name of person certifying)

2. Identification of Person(s) Making this Statement

The person making this statement is the owner or a person authorized to sign on behalf of the owner on the basis of an assignment (unrecorded) (copy attached).

Signature by owner

 8/10/04

Signature

Nathan Pyles, Domestic Representative

Assignee:

Johnson Health Tech Co., Ltd

No. 26, Ching Chuan Road, Taya Hsiang

Taichung, Hsein 428, Taiwan R.O.C.